

Message Text

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ACTION ORM-02

INFO OCT-01 EUR-12 EA-07 IO-13 ISO-00 DHA-02 VO-03 SCA-01

CIAE-00 INSE-00 AID-05 IGA-02 SS-15 NSC-05 DODE-00

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O P 241120Z JUL 76

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC IMMEDIATE 1354

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY RANGOON

USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY BANGKOK PRIORITY

AMEMBASSY TOKYO PRIORITY

AMEMBASSY TAIPEI PRIORITY

AMEMBASSY JAKARTA PRIORITY

AMEMBASSY MANILA PRIORITY

AMEMBASSY KUALA LUMPUR PRIORITY

AMEMBASSY SINGAPORE PRIORITY

C O N F I D E N T I A L HONG KONG 8690

C O R R E C T E D C O P Y (TEXT)

E.O. 11652: GDS

TAGS: SREF, VS

SUBJECT: INDOCHINESE REFUGEES: BOAT CASE MV AVA

REF: STATE 183403

SUMMARY: IN REASONABLY AMICABLE MEETING WITH ACTING GOVERNOR
I REITERATED ARGUMENTS DESCRIBED IN REFTEL AND UNDERLINED
SERIOUSNESS WITH WHICH USG VIEWS PRECEDENT WHICH WOULD RESULT
FROM FAILURE OF REFUGEES TO DEBARK IN HONG KONG. ACTING GOVERNOR
DID NOT GIVE AWAY MUCH BUT I RECEIVED IMPRESSION HE WAS
UNDER CONSIDERABLE PRESSURE TO FIND A WAY OUT. HE SAID HKG
WILL DELAY SAILING UNTIL THE ISSUE REACHED A FINAL CONCLUSION.
END SUMMARY.
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1. HIRSHORN AND I SAW SIR DENIS ROBERTS, THE ACTING GOVERNOR
OF HONG KONG, AT NOON. MEETING WAS REASONABLE AMICABLE BUT
VERY MUCH TO THE POINT. I SAID THERE WERE DIFFICULTIES
IN SETTING UP AN INTERNATIONAL SSTEM FOR THE HANDLING OF

THESE AND FUTURE REFUGEES FROM VIETNAM. THE IMPORTANT POINT FOR US IN THIS CASE IS THAT THE REFUGEES SHOULD BE ALLOWED TO COME ASHORE UNDER UNHCR IN ORDER TO BE RESETTLED IN OTHER COUNTRIES. AS PART OF AN INTERNATIONAL EFFORT I SAID THAT IF THE BRITISH WOULD NOT COOPERATE IN SOLVING THE REFUGEES PROBLEMS IN THIS WAY IT WAS UNLIKELY ANYONE ELSE IN THE REGION WOULD. I COULD ENVISION A SERIOUS TRAGEDY IN TWO FUTURE IF THEY MAINTAINED THEIR HARD STANCE.

2. THE ACTING GOVERNOR SAID THE HEART OF HKG'S POSITION IS THAT THEY DO NOT WANT HONG KONG TO BECOME THE ONLY PLACE THAT ACCEPTS REFUGEES. HE SAID THEY COULD ACCEPT THESE 99 IF THEY HAD SOME WAY OF REFUSING FUTURE ARRIVALS. FOR EXAMPLE, HKG WOULD LIKE TO SAY THEY WERE ACCEPTING ONLY THESE 99 BECAUSE OF ASSURANCES THE U.S. WOULD TAKE A SUBSTANTIAL NUMBER. I REFUSED TO ACCEPT THIS AS A SOLUTION, POINTING OUT THAT THE PROBLEM WAS REGIONAL NOT JUST HONG KONG'S AND WE DID NOT WANT EVERY COUNTRY SAYING IT WOULD ONLY LAND REFUGEES IF THE U.S. PROMISED TO TAKE THEM.

3. ROBERT'S THEN DANGLED ANOTHER POSSIBLE SOLUTION. HE SAID HKG MIGHT ACCEPT THEM IN THIS CASE BUT ONLY BECAUSE OF THE PRATICE PERTAINING TO SURVIOURS AT SEA. IT WOULD NOT APPLY

TO OTHER TYPES OF CASES. WITHOUT GOING VERY FAR I SAID SUCH AN APPROACH MIGHT BE HELPFUL IN GAINING TIME FOR ARR-ANGEMENTS FOR BORADER PROGRAMS FOR REFUGEES TO BE WORKED OUT.

4. ROBERTS CONCLUDED BY SAYING THAT THE AVA WILL BE KEPT HERE BEYOND MONDAY WHEN SHE WAS EXPECTED TO LEAVE, UNTIL THE CASE IS RESOLVED. I AGAIN ASSURED HIM IN THAT ONCE THE 99 WERE DEBARKED WE WOULD MOVE VERY EXPEDITIOUS IN PROCESSING APPLICATIONS. HE ASSURED ME THAT HE BELIEVED ME BASED ON OUR PAST PERFORMANCES.
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5. COMMENT: THROUGHOUT THE DISCUSSION THE ACTING GOVERNOR, SPOKE AS IF THE PROBLEM APPLIED ONLY TO HONG KONG. HE SHOWED NO CONFIDENCE THAT ANY OF THE OTHER COUNTRIES IN THE REGION WOULD COOPERATE IN ANY WAY. I ON THE OTHER HAND CONTINIOUSLY STRESSED THAT THE PROBLEM WAS REGIONAL AND THAT HONGKONG WAS ONLY ONE OF A NUMBER OF TERRITORIES AFFECTED. ALSO, ALTHOUGH HE DID NOT REVEAL MUCH, I GATHERED THE STRONG IMPRESSION THAT HE WAS UNDER CONSIDERABLE PRESSURE TO RELENT AND WAS FISHING FOR A SOLUTION OF HONG KONG'S PROBELM THAT WOULD ALSO BE ACCEPTABLE TO US.

7. CONSEQUENTLY I RECOMMEND: A) THAT WE DO NOTHING TO ENCOURAGE THE JAPANESE TO SIGNAL IN ADVANCE ANY INTENT TO ACCEPT THE 99. WERE THEY DO DO SO, IT WOULD BE FAR MORE LIKELY THAT HKG WILL INSIST THAT AVA SAIL WITH THE REFUGEES ABOARD. B)

IT IS STILL ESSENTIAL THAT THE UNHCR TO PUBLICLY APPEAL TO
OTHER COUNTRIES FOR ASSISTANCE IN ACCEPTING THE REFUGEES.
SO FAR HIS REPRESENTATIONS HAVE BEEN LIMITED TO UKG AND BURMA.
AN INTERNATIONAL APPEAL WOULD MAKE IT SOMEWHAT EASIER FOR
HKG TO RELENT. C) IF HKG WISHES TO ANNOUNCE THAT IT IS
ACCEPTING THE 99 BECAUSE AND ONLY BECAUSE OF THE SURVIVAL
PRINCIPLE, WE SHOULD ACQUIESCE. ATLEAST THEIR HELP ESTABLISHES
AN IMPORTANT PARALLEL PRINCIPLE WHILE DOING NOTHING TO
UNDERMINE THE PRINCIPLE OF POLITICAL ASYLUM.
CROSS

OPS NOTE: THERE IS NO PARA 6 IMI NO PARA 6.
PARA 7 SHOULD BE PARA 6.

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<< END OF DOCUMENT >>

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